

PATENT


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gunther Fuhr et al.
Serial No. : 09/582,609
Filed : June 28, 2000
For : PROCESS AND DEVICES TO MEASURE, CALIBRATE,
AND USE LASER TWEEZERS

REQUEST FOR A REFUND

I hereby certify that this paper is being
mailed by the United States Postal Service
and is addressed to:
Assistant Commissioner of Patents and Trademarks,
Washington, D.C. 20231 August 18, 2000
Date of Deposit

Paul A. Ragusa 38,587
Attorney Name PTO Reg. No.

 August 18, 2000
Signature Date of Signature

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

Reference is made to the notice published January 20, 1983 at 1027 O.G.

115 entitled "Requirement for Filing of Verified Statements Claiming Small Entity

PATENT

Status". Enclosed herewith is a verified statement claiming small entity status for the above-identified application.

The enclosed statement bears the name of the inventors and title of invention. The undersigned attorney, as presently advised, states that the application as identified above on file in the United States Patent and Trademark Office is the application which the inventor executed by signing the enclosed statement.

A \$676.00 refund of one-half of the filing fee (\$1,352.00) paid in this application June 28, 2000, is hereby respectfully requested as a credit to our Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted



Ronald B. Hildreth
Patent Office Reg. No. 19, 498

Paul A. Ragusa
Patent Office Reg. No. 38,587

Attorney for Applicant
(212) 408-2544

Enclosure

Baker Botts L.L.P.
30 Rockefeller Plaza
New York NY 10112

PATENT

A33331 PCT USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gunther Fuhr et al.
Serial No. : 09/582,609
Filed : June 28, 2000
For : PROCESS AND DEVICES TO MEASURE, CALIBRATE,
AND USE LASER TWEEZERS

RESPONSE TO NOTICE TO FILE MISSING
REQUIREMENTS UNDER U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

EXPRESS MAIL LABEL NO. EK839858026US

Assistant Commissioner of Patents
Box PCT
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Requirements of Application Under U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated March 10, 1997, enclosed herewith is a Declaration referring to the above-identified application by one or more of the following in compliance with 37 U.S.C. 371:

- () Name of inventor and application serial number;
- () Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- () Name of inventor, title of invention and filing date;
- () Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- (X) Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application

RESPONSE - NOTICE
OF MISSING PARTS

PATENT

A33331 PCT USA

which the inventor executed by signing the oath or declaration.

Also enclosed are:

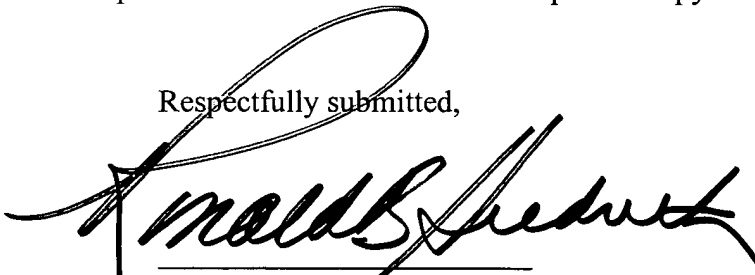
1. (X) A check in the amount of \$ 65.00
() \$130 - Other than Small Entity
(X) \$ 65 - Small Entity
representing payment of the surcharge
due for late filing of the Declaration
pursuant to 37 C.F.R. 1.492(e);
2. () An extension of time to file the Response
to Missing Parts is respectfully requested.
The required fee, calculated pursuant to
1.136(a), is enclosed in the amount of \$ _____
3. (X) Other Small Entity Verification Statement
\$ _____

TOTAL FEE ENCLOSED \$ 65.00

Enclosed: Form PCT/DO/EO/905

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication to Deposit Account No. 02-4377. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Ronald B. Hildreth
Patent Office Reg. No. 19,498
Attorney for Applicants
(212) 408-2544

09/11/2000 AGIZAW 00000174 09582609

01 FC:254

65.00 0P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Gunther Fuhr et al.
Serial No. : 09/582,609
Filed : June 28, 2000
For : PROCESS AND DEVICES TO MEASURE, CALIBRATE,
AND USE LASER TWEEZERS

RESPONSE TO NOTICE TO FILE MISSING
REQUIREMENTS UNDER U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

EXPRESS MAIL LABEL NO. EK839858026US

Assistant Commissioner of Patents
Box PCT
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Requirements of Application Under U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated March 10, 1997, enclosed herewith is a Declaration referring to the above-identified application by one or more of the following in compliance with 37 U.S.C. 371:

- () Name of inventor and application serial number;
- () Name of inventor, attorney docket number which was on the application as filed, and filing date of the application;
- () Name of inventor, title of invention and filing date;
- () Name of inventor, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- (X) Name of inventor, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application

09/582609



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 5071	FIRST NAMED APPLICANT	ATTY DOCKET NO.
---------------------------	-----------------------	-----------------

RONALD B HILDRETH
BAKER BOTTS
30 ROCKEFELLER PLAZA
NEW YORK NY 10112-0228

5071

INTERNATIONAL APPLICATION NO. 023374

I.A. FILING DATE 21/98 PRIORITY DATE 2/98/97

08/08/00

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494), ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 28 Jun 00 and
- ☐ Information Disclosure Statement(s) filed and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☐ Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917
☐ PTO-875

☐ Notice of Defective Translation

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

3053737

Docketed
For 9/8/2000 By

2/12/01